interested in preparing tablets, on the other hand, note that applicants' composition is in the form of a novel dispersion of active ingredients in water to be used as a spray to form a fire-barrier.

Speronello et al is deficient as a reference for the following reasons:

1) The *Speronello et al* reference does not teach their composition to be a fire-retardant composition, but rather teaches it to be a "massive body" useful as a tablet.

2) The *Speronello et al* reference is for a solid composition while applicants' composition is for a liquid dispersion.

3) The *Speronello et al* reference does not teach the proportions of ingredients as set forth in the claims.

4) Note also that *Speronello et al* teach col. 3, lines 35-40 that attapulgite is a filler. This is contrary to applicants' use, namely, a suspending agent.

5) *Speronello et al* do not teach the method of preventing an advance of a fire as taught by applicants' claims 6-13.

To make up the deficiencies of *Speronello et al*, the Examiner has combined *Hallo et al* and *Drew et al* with *Speronello et al* to make a rejection.

Hallo et al is directed to a heat dissipating composition which dissipates heat from one area of a heated surface to another portion of the same surface. The *Hallo et al* composition is to be used primarily in welding and soldering processes, with the composition comprising 85 to 99.5 percent water, 15 to about 0.5 percent magnesium silicate hetorite clay forming a colloidal suspension gel when mixed with water.

The *Hallo et al* reference is deficient in not teaching the use of magnesium sulfate in their heat dissipating composition. Magnesium sulfate and magnesium silicate hetorite clay are distinct chemical entities and are not seen to be equivalent.

Further, Hallo et al cannot be properly combined with *Speronello et al* because these two references involve non-analogous art. For example, *Speronello et al* is directed to preparing a "massive body" to be used for supplying chlorine dioxide and by contrast *Hallo et al* is directed to producing a heat-retardant composition.

Drew et al teach a flowable pressure-compensating composition which is flame-resistant, comprising epsom salt as a flame retardant along with silicone oil, glycerin or a wax/oil material all to be used in a padding device.

While the *Drew et al* reference teaches the use of epsom salt and attapulgite clays, the reference teaches away from the use of water. Note that at col. 7, lines 55-68 and col. 8, lines 1-7, the reference states that, viscosity-increasing agents, e.g., attapulgite, is to be used with glycerin or silicone oil alone without the need to employ water; and that a further advantage of not using water is the fact that the freezing point is lowered. Clearly, *Drew et al* teach away from applicants' compositions which encompasses a large amount of water.

In passing, it is also pointed out that *Drew et al,* who teach a pressure-compensating composition, is non-analogous to *Hallo et al* who teach a heat dissipating composition and *Speronello et al* who teach a "massive body" useful in chlorine dioxide generation.

Summary

As set forth above, the references applied against the claims are non-analogous and cannot be properly combined to make a valid rejection.

The numeric limitations of the claims have not been shown by the prior art relative to specific ingredients.

The method of claims 6-13 has not been shown by the prior art.

It is requested that the rejection under 35 USC § 103 be withdrawn.

All outstanding issues have been addressed and the Examiner is requested to indicate allowable subject matter in this application.

Sincerely,

October 27, 2005
Date

Sam Rosen
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CERTIFICATE OF TRANSMITTAL
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
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SR/jjr (10/27/05)

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